



GENERAL ASSEMBLY

COMMONWEALTH OF KENTUCKY

2011 REGULAR SESSION

SENATE BILL NO. 114

THURSDAY, FEBRUARY 17, 2011

The following bill was reported to the House from the Senate and ordered to be printed.

RECEIVED AND FILED
DATE March 16, 2011
4:57 pm.

ELAINE N. WALKER
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY P. Kinsolving

1 AN ACT relating to health benefit plan wellness programs.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF SUBTITLE 17A OF KRS CHAPTER 304
4 IS CREATED TO READ AS FOLLOWS:

5 (1) An insurer issuing a group or individual health benefit plan may offer a
6 voluntary wellness or health improvement program that allows for rewards or
7 incentives to encourage participation or to reward members for participation,
8 including but not limited to:

9 (a) Merchandise;

10 (b) Gift cards;

11 (c) Debit cards;

12 (d) Premium discounts or rebates;

13 (e) Contributions toward a member's health savings account;

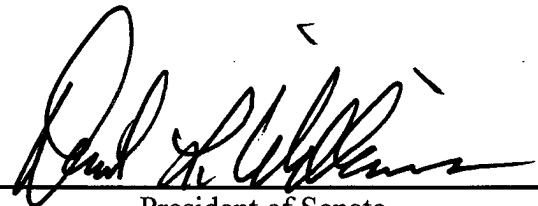
14 (f) Modification to copayment, deductible, or coinsurance amounts; or

15 (g) Any combination of the incentives authorized by paragraphs (a) through (f)
16 of this subsection.

17 (2) Any reward or incentive established under this section shall not be deemed an
18 inappropriate inducement to obtain or retain insurance, in violation of KRS
19 304.12-090 and 304.12-110, if disclosed in the policy or certificate of coverage.

20 (3) The health plan member may be required to provide verification, such as a
21 statement from his or her physician, that a medical condition makes it
22 unreasonably difficult or medically inadvisable for the member to participate in
23 the wellness or health improvement program.

24 (4) Nothing in this section shall prohibit an insurer from offering incentives or
25 rewards to members for adherence to a voluntary wellness or health improvement
26 program, if otherwise allowed by state or federal law.



President of Senate



Speaker House of Representatives

Attest: 

Chief Clerk of Senate

Approved 

Governor

Date 3-16-11